

Appendix C

Table C-1 shows the results of the California Natural Diversity Data Base (CNDDB) and the California Native Plant Society (CNPS) search for sensitive plants and animal species occurring within or near the Milpitas planning area. Following Table C-1 is information provided by the U.S. Fish and Wildlife Service on listed and proposed endangered and threatened species that **may** occur within the Milpitas Planning Area.

Table C-1						
Sensitive Plant and Animal Species Occurring Within or near the Planning Area						
Species	Habitat	Federal	State	CDFG	CNPS	R-E-D
Species <u>Known</u> to Occur Within the Planning Area^a						
Birds						
<i>Aquila Chrysaetos</i> Golden eagle	Rolling foothill	none	none	SC	na	na
Mammals						
<i>Reithrodontomys raviventris</i> Salt marsh harvest mouse	Salt marsh	E	E	none	na	na
Plants						
<i>Astragalus tener var tener</i> Alkali milk-vetch	Alkali playa/Grassland /Vernal pools	none	none	none	1B	3-2-3
Species That <u>May</u> Occur Within the Planning Area^b						
Plants						
<i>Cordylanthus maritimus</i> <i>SSP palustris</i> Pt. Reyes bird's beak	Coastal salt marsh	FC2	none	none	1B	2-2-2
<i>Atriplex joaquiniana</i> San Joaquin spearscale	Scrub/Meadows/ Grasslands	FC2	none	none	1B	2-2-3
<i>Clarkia concinna</i> <i>SSP automixa</i> Santa Clara red ribbons	Woodland	FC2	none	none	1B	2-2-3
<i>Hemizonia parryi</i> <i>SSP Congdonii</i> Congdon's tarplant	Woodland	FC1	none	none	1B	3-3-3
<i>Lathyrus jepsonii</i> <i>var jepsonii</i> Delta tule pea	Fresh/Salt-water marsh	FC2	none	none	1B	2-2-3
<i>Lessingia hololeuca</i> Woolly-headed lessingia	Coastal scrub/Conifer forest/Grassland	none	none	none	3	?-?-3 ^c
<i>Sidalcea malachroides</i> Maple-leaved checkerbloom	Broadleaf forest/Coastal prairie/Conifer forest	none	none	none	1B	2-2-2

Table C-1 continued			
Sensitive Plant and Animal Species Occurring Within or near the Planning Area			
FED/STATE	E	=	Endangered
CDFG	SC	=	Indicates whether the species is a Department of Fish and Game Species of Special Concern.
CNPS List (Species listed by the California Native Plant Society - plants only)			
1B = Plants Rare, Threatened or Endangered in California or elsewhere.			
3 = Plants for which more information is needed.			
CNPS R-E-D Code			
R (Rarity)			
2 = Occurrence confined to several populations or to one extended population.			
3 = Occurrence limited to one or a few highly restricted populations, or present in such small numbers that it is seldom reported.			
E (Endangerment)			
2 = Endangered in a portion of its range.			
3 = Endangered throughout its range.			
D (Distribution)			
2 = Rare outside of California.			
3 = Endemic to California.			
Sources:			
a California Department of Fish and Game, <i>California Natural Diversity Data Base</i> . 1994			
b California Native Plant Society. <i>Inventory of Rare and Endangered Vascular Plants in California</i> . 1994. Species listed in the <i>Inventory</i> are mapped by USGS Quadrangles and specific plant locations are not defined. They may or may not occur within the Planning Area. Plants listed above are those designated in USGS Quadrangles 427A, <i>Calaveras Reservoir</i> , and 427B, <i>Milpitas</i> , which contain the Milpitas Planning Area as well as adjacent jurisdictions.			
c Rare and Endangered status unknown.			



United States Department of the Interior

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Sacramento, California 95825-1846

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MAR 31 1994

BLAYNEY-DYETT

In Reply Refer To:
1-1-94-TA-652

March 26, 1994

Mr. Rajeev Bhatia
Blayney Dyett
70 Zoe Street
San Francisco, California 94107

Subject: Santa Clara County Species List for Proposed City of Milpitas
General Plan Update, Santa Clara County, California

Dear Mr. Bhatia:

The enclosed list replies to your letter of February 16, 1994, requesting information on listed and proposed endangered and threatened species that may occur within the proposed planning area (see Enclosure A). Information concerning the distribution, life history, and habitat requirements for the listed species is available upon request.

Information and maps concerning candidate species in California are available from the California Natural Diversity Data Base, a program of the California Department of Fish and Game. Address your request to: Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814 [(916) 324-0562]. You should also request additional information from the Chief, California Department of Fish and Game, Non-Game Heritage Program (916) 324-8348.

All listed species identified in Enclosure A are fully protected under the mandates of the Endangered Species Act, as amended (Act). Section 9 of the Act and its implementing regulations prohibit the "take" of a federally listed wildlife species. Take is defined by the Act "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such wildlife species. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR § 17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures. If a Federal agency is involved with the permitting, funding, or carrying out of this project, then initiation of formal consultation between that agency and the Service pursuant to Section 7 of the Act is required if it is determined that the proposed project may affect a federally listed species. Such consultation would result in a biological opinion that addresses anticipated effects of the project to listed and proposed species

Mr. Rajeev Bhatia, Blayney Dyett

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and may authorize a limited level of incidental take. If a Federal agency is not involved with the project, and federally listed species may be taken as part of the project, then an "incidental take" permit pursuant to Section 10(a) of the Act should be obtained. The Service may issue such a permit upon completion by the permit applicant of a satisfactory conservation plan for the listed species that would be affected by the project.

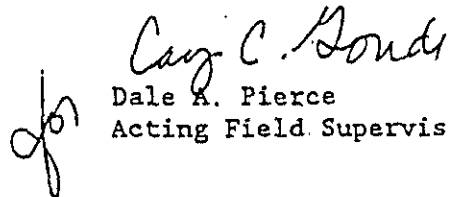
If suitable habitat for federally listed species exists in the project area, we recommend that surveys for them be undertaken by qualified biologists during or prior to the environmental review process. We also recommend that surveys be undertaken for the proposed and candidate species included in Enclosure A if suitable habitat exists on site. The results of these surveys should be published in any environmental documents prepared for this project.

Should these surveys determine that federally listed or proposed species occur in the area and are likely to be affected by the proposed project, the Service recommends that the project proponent, in consultation with this office and the California Department of Fish and Game, develop a plan that mitigates for the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. The mitigation plan also should be included in the environmental document.

We also recommend addressing adverse impacts to candidate species. One of the benefits of considering these species early in the planning process is that by exploring alternatives, it may be possible to avoid conflicts that could develop, should a candidate species become listed before the project is complete.

We appreciate your concern for endangered species. If you have further questions, please call Laurie Stuart Simons of this office at (916) 978-5408 extension 330.

Sincerely,


Dale A. Pierce
Acting Field Supervisor

Enclosure

cc: FWS-SFO (Wetlands), Sacramento, CA
FWS-SFO (Corps Projects), Sacramento, CA

ENCLOSURE A

LISTED AND PROPOSED ENDANGERED AND THREATENED SPECIES AND
CANDIDATE SPECIES THAT MAY OCCUR IN THE AREA OF
SANTA CLARA COUNTY, CALIFORNIA
(1-1-94-TA-652, MARCH 26, 1994)

Listed Species

Fish

winter-run chinook salmon, *Oncorhynchus tshawytscha* (E)

Birds

bald eagle, *Haliaeetus leucocephalus* (E)
American peregrine falcon, *Falco peregrinus anatum* (E)
Aleutian Canada goose, *Branta canadensis leucopareia* (T)
California brown pelican, *Pelecanus occidentalis californicus* (E)
California clapper rail, *Rallus longirostris obsoletus* (E)
California least tern, *Sterna antillarum (-albifrons) browni* (E)
western snowy plover, coastal population, *Charadrius alexandrinus nivosus* (T)

Mammals

salt marsh harvest mouse, *Reithrodontomys raviventris* (E)
San Joaquin kit fox, *Vulpes macrotis mutica* (E)

Invertebrates

bay checkerspot butterfly, *Euphydryas editha bayensis* (T)

Proposed Species

Amphibians

California red-legged frog, *Rana aurora draytonii* (PE)

Invertebrates

vernal pool fairy shrimp, *Branchinecta lynchi* (PE)
California linderiella, *Linderiella occidentalis* (PE)

Plants

Coyote Valley California-lilac, *Ceanothus ferrisiae* (PE)
Santa Clara Valley dudleya, *Dudleya setchellii* (PE)
Metcalf Canyon jewelflower, *Streptanthus albidus* ssp. *albidus* (PE)

Candidate Species

Fish

green sturgeon, *Acipenser medirostris* (2R)
longfin smelt, *Spirinchus thaleichthys* (2)

Santa Clara County continued

Amphibians

California tiger salamander, *Ambystoma californiense* (2*)
western spadefoot toad, *Scaphiopus hammondi hammondi* (2R)
foothill yellow-legged frog, *Rana boylei* (2)

Reptiles

northwestern pond turtle, *Clemmys marmorata marmorata* (2)
southwestern pond turtle, *Clemmys marmorata pallida* (2)

Birds

ferruginous hawk, *Buteo regalis* (2)
tricolored blackbird, *Agelaius tricolor* (2)
California horned lark, *Eremophila alpestris actia* (2)
loggerhead shrike, *Lanius ludovicianus* (2)
salt marsh common yellowthroat, *Geothlypis trichas sinuosa* (2)
Alameda (South Bay) song sparrow, *Melospiza melodia pusillula* (2)

Mammals

salt marsh vagrant shrew, *Sorex vagrans halicoetes* (1)
riparian brush rabbit, *Sylvilagus bachmani riparius* (1)
San Francisco dusky-footed woodrat, *Neotoma fuscipes annectens* (2)
Pacific western big-eared bat, *Plecotus townsendii townsendii* (2)
greater western mastiff-bat, *Eumops perotis californicus* (2)

Plants

Mt. Hamilton harebell, *Campanula sharsmithiae* (2)
Mt. Hamilton thistle, *Cirsium fontinale* var. *campylon* (1)
South Bay clarkia, *Clarkia concinna* ssp. *automixa* (2)
northcoast bird's-beak, *Cordylanthus maritimus* ssp. *palustris* (2)
Mt. Hamilton coreopsis, *Coreopsis hamiltonii* (2)
clustered lady's-slipper, *Cypripedium fasciculatum* (2)
interior California larkspur, *Delphinium californicum* ssp. *interius* (2)
Hoover's button-celery, *Eryngium aristulatum* var. *hooveri* (1R)
talus fritillary, *Fritillaria falcata* (2)
fragrant fritillary, *Fritillaria liliacea* (2)
Contra Costa goldfields, *Lasthenia conjugens* (1)
delta tule-pea, *Lathyrus jepsonii* ssp. *jepsonii* (2)
smooth lessingia, *Lessingia micradenia* var. *glabrata* (2)
Gairdner's yampah, *Perideridia gairdneri* ssp. *gairdneri* (2)
Mt. Diablo phacelia, *Phacelia phacelioides* (2)
hairless allocarya, *Plagiobothrys glaber* (2)
rock sanicle, *Sanicula saxatilis* (2)
most beautiful (uncommon) jewelflower, *Streptanthus albidus* ssp. *peramoenus* (1)
Mt. Hamilton jewelflower, *Streptanthus callistus* (2)
showy Indian clover, *Trifolium amoenum* (2*)
caper-fruited tropidocarpum, *Tropidocarpum capparideum* (2*)

Santa Clara County continued

- (E)--Endangered (T)--Threatened (P)--Proposed (CH)--Critical Habitat
- (1)--Category 1: Taxa for which the Fish and Wildlife Service has sufficient biological information to support a proposal to list as endangered or threatened.
- (2)--Category 2: Taxa for which existing information indicated may warrant listing, but for which substantial biological information to support a proposed rule is lacking.
- (1R)--Recommended for Category 1 status.
- (2R)--Recommended for Category 2 status.
- (*)--Listing petitioned.
- (*)--Possibly extinct.

